



Schneider National Carriers, Inc. and Christopher Webb for negligence and gross negligence, pursuant to the wrongful death and survival statutes. Plaintiffs filed suit against Schneider National Carriers, Inc. and Christopher Webb.

## **II.**

### **BASIS FOR REMOVAL**

2.1. Removal is proper and based upon diversity of citizenship under 28 U.S.C. §§1332(a)(1), 1441(a), and 1446.

2.2. Plaintiffs were, and are, at the time the lawsuit was filed, residents of the State of Texas. *See* Plaintiffs' Original Petition, paragraphs 2.1 and 2.2.

2.3. Defendant Schneider National Carriers, Inc. is a Nevada company that operates its headquarters and principal place of business in Green Bay, Wisconsin. Under 28 U.S.C. §1332, a corporation is a citizen in the state by which it is incorporated and the state where its principal place of business is located.

2.4. Defendant Christopher Webb was, and is, at the time the lawsuit was filed, a citizen and a resident of the State of Tennessee.

#### **A. The Amount in Controversy Exceeds the Jurisdictional Requirements for Subject Matter Jurisdiction**

2.4. Plaintiffs' claims are based on the wrongful death and survival statutes. "Plaintiffs seek recovery of damages for monetary relief in an amount over \$1,000,000." *See* Plaintiffs' Original Petition, paragraph 4.5.

**III.**  
**THE REMOVAL IS PROCEDURALLY CORRECT**

3.1. Defendants made an appearance in the state court action on Wednesday, September 13, 2017 (*see* Exhibit "B"). Defendants file this Notice and Petition for Removal within the 30 day time period required by 28 U.S.C. § 1446(b).

3.2. Venue is proper in this district and division under 28 U.S.C. § 1446(a) because this district and division include the county in which the state action is pending and because a substantial part of the events giving rise to Plaintiffs' claims allegedly occurred in this district and division.

3.3. Pursuant to 28 U.S.C. § 1446(d), promptly after Defendants file this notice, written notice of the filing will be given to Plaintiffs, the adverse party.

3.4 Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of this Notice and Petition for Removal will be filed with the Clerk of the Liberty County District Court, promptly after Defendants file this notice.

**IV.**  
**CONCLUSION**

Based upon the foregoing, the exhibits submitted in support of this Removal, and other documents filed contemporaneously with this Notice of Removal and fully incorporated herein by reference, Defendants hereby remove this case to this court for trial and determination.

Respectfully submitted,

HANSZEN LAPORTE LLP

By: /s/ H. Mark Burck  
H. Mark Burck  
SBN: 03362700  
FBN: 7423  
14201 Memorial Drive  
Houston, TX 77079  
Telephone: (713) 522-9444  
Facsimile: (713) 524-2580  
E-Mail: [mburck@hanszenlaporte.com](mailto:mburck@hanszenlaporte.com)

Attorney for Defendants

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the above and foregoing has been forwarded to all interested parties on this 13th day of September, 2017 in accordance with the Federal Rules of Civil Procedure and as indicated below:

Langdon “Trey” Smith  
Michael Gomez  
Jim S. Adler & Associates  
1900 West Loop South, 20<sup>th</sup> Floor  
Houston, Texas 77027

**Via CM/ECF**

/s/ H. Mark Burck  
H. MARK BURCK